



PATENT  
988.1009

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE  
BEFORE THE BOARD OF PATENT APPEALS AND INTERFERENCES

In Re Application of: )  
Clifton Lind, et.al. )  
Serial No.:10/021,396 ) Group Art Unit: 3714  
Filed: December 7, 2001 ) Examiner: Aaron Capron  
FOR: LOTTERY TICKET )  
DISTRIBUTION SYSTEM )

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**BRIEF OF APPELLANTS**

This is an appeal from the Final Office Action mailed December 12, 2003, rejecting Claims 1 through 16 in the above-identified application. Appellants hereby submit an original and two copies of this Appeal Brief to the Board of Patent Appeals and Interferences within the second month after the two-month period following the Notice of Appeal filed February 17, 2004.

This Brief of Appellants is accompanied by a payment of \$165.00 representing the fee due under 37 C.F.R. §1.17(b), and is accompanied by a petition for a two-month extension of time to file the appeal brief together with a payment for the \$210.00 small entity two-month extension fee.

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1                                   **I. REAL PARTY IN INTEREST (37 C.F.R. §1.192(c)(1))**

2                   The above-described patent application is assigned to Multimedia Games, Inc., the real  
3 party in interest.

4  
5                                   **II. RELATED APPEALS AND INTERFERENCES (37 C.F.R. §1.192(c)(2))**

6                   There is no related Appeal or Interference before the United States Patent and Trademark  
7 Office.

8  
9                                   **III. STATUS OF THE CLAIMS (37 C.F.R. §1.192(c)(3))**

10                  The status of the claims is as follows:

11                  Allowed Claims:	None
12                  Claims to which Objections apply:	None
13                  Claims withdrawn from consideration:	None
14                  Claims Rejected:	1 through 16
15                  Claims Appealed:	1 through 16

16  
17                                   **IV. STATUS OF AMENDMENTS (37 C.F.R. §1.192(c)(4))**

18                  The final claim amendments filed January 27, 2004, in response to the December 12,  
19 2003 Final Office Action have been entered as indicated by the Advisory Action mailed February  
20 6, 2004. The claims reproduced in the accompanying Appendix reflect the state of claims 1  
21 through 16 as they currently stand in this case.

1                   **V. SUMMARY OF THE INVENTION (37 C.F.R. §1.192(c)(5))**

2                   The present invention relates to a lottery ticket distribution system 8 (page 6, lines 6-7).

3                   The system includes a ticket distribution center 9 having an electronic ticket storage device 11,  
4                   20 for storing a game set 29 comprising a number of electronic lottery tickets 31 to be distributed  
5                   to players using the system (page 7, lines 8-13; page 8, lines 2-4; page 9, lines 16-20). Each  
6                   electronic lottery ticket 31 is represented by ticket data that includes at least a result 32 and a  
7                   ticket identifier 35 associated with the respective electronic lottery ticket 31 (page 9, line 20  
8                   through page 10, line 5).

9                   The system also includes a ticket record manufacturing device 14, 15 operatively  
10                  connected with the ticket distribution center 9 and located at a secure location inaccessible to the  
11                  players (page 6, lines 10-11; page 7, lines 6-11; page 10, lines 16-18). The ticket record  
12                  manufacturing device 14, 15, which is also distinct from the electronic ticket storage device 11,  
13                  12 (page 7, lines 6-11), produces a non-volatile data record or a hard copy ticket record for each  
14                  respective electronic lottery ticket 31 in the game set 29 prior to a ticket request corresponding to  
15                  the respective electronic lottery ticket 31 (page 10, lines 10-15; page 11, lines 2-4). This hard  
16                  copy ticket record or non-volatile data record is created and held at the secure location according  
17                  to the invention for use in verifying the electronic tickets later distributed through the system  
18                  (page 10, lines 16-18).

19                 A player terminal 10 is included in the system for receiving from the ticket distribution  
20                 center 9 the ticket data representing one of the electronic lottery tickets 31 (page 11, lines 9-11).  
21                 The player terminal 10 resides at a location remote from the ticket distribution center 9 and  
22                 communications arrangements 22 and 28 facilitates data communications between the ticket

1 distribution center 9 and the player terminal 10 (page 6, lines 12-16). A player ticket printer 27  
2 included with the player terminal 10 prints a player ticket comprising a replica of the hard copy  
3 ticket record or data record held for verification purposes (page 8, line 16 through page 9, line 2).

4 The ticket record manufacturing device may comprise a hard copy printer 14 that  
5 produces the hard copy ticket record for each electronic lottery ticket 31 in the game set 29 or an  
6 optical disc writer 15 that produces the non-volatile data record for each electronic lottery ticket  
7 31 in the game set 29 (page 10, lines 9-15). A display 23 may be included with player terminal  
8 10 for displaying the result included in the respective ticket data in response to a player input at  
9 the player terminal (page 13, lines 10-12). The ticket distribution center 9 may include a  
10 manufacturing computer 11 for manufacturing the game set 29 electronic lottery tickets 31 (page  
11 8, lines 16-17).

12 A method for distributing lottery tickets 31 according to the present invention includes  
13 storing game set 29 of electronic lottery tickets 31 at ticket distribution center 9 (page 11, lines 4-  
14 8). Each electronic lottery ticket 31 is represented by a respective collection of ticket data that  
15 includes at least result 32 and ticket identifier 35 (page 9, line 19 through page 10, line 5). Prior  
16 to a ticket request for any electronic lottery ticket 31 in game set 29, the method includes  
17 producing a game set record at a secure location and securing the game set record from access by  
18 the players (page 10, lines 16-18). The game set record comprises either a set of non-volatile  
19 data records including a respective data record for each respective electronic lottery ticket 31 in  
20 game set 29 or a set of hard copy ticket records including a respective hard copy ticket record for  
21 each respective electronic lottery ticket 31 in game set 29 (page 10, lines 9-12).

1           The method further includes communicating the ticket data representing one of the  
2 electronic lottery tickets 31 over communications arrangements 22 and 28 from the ticket  
3 distribution center 9 to player terminal 10 at a location remote from the ticket distribution center  
4 9 (page 8, lines 4-5). At the player terminal location, a player ticket is then printed with the  
5 result 32 and ticket identifier 35 included in the respective ticket data communicated from the  
6 ticket distribution center 9 to the player terminal 10 (page 6, line 19 through page 7, line 1).

7           One preferred method according to the present invention further includes generating the  
8 game set 29 at the ticket distribution center 9 (page 11, lines 13-16). The step of communicating  
9 the ticket data representing one of the electronic lottery tickets 31 may be performed in response  
10 to a player input at the player terminal 10 (page 8, line 4). Additionally, the present invention  
11 may include the step of storing the respective ticket data while different ticket data representative  
12 of a different one of the electronic lottery tickets 31 is printed on a different player ticket or the  
13 same player ticket in response to a play request entered through the player terminal 10 (page 12,  
14 line 21 through page 13, line 5).

15           A method according to the present invention may also include the step of communicating  
16 additional ticket data representing a different one of the electronic lottery tickets 31 over the  
17 communications arrangements 22 and 28 from the ticket distribution center 9 to the player  
18 terminal 10 (page 8, lines 2-5). The player ticket may then be printed with the result 32 included  
19 in the additional ticket data at the player terminal location, and a representation indicating the  
20 result 32 included in the additional ticket data may be displayed at the player terminal location.  
21 The player ticket may finally be ejected in response to an end play signal (page 9, line 21 through  
22 page 10, line 2).

1 **VI. ISSUES ON APPEAL (37 C.F.R. §1.192(c)(6))**

2 1. The Examiner rejected claims 1, 2, and 4 through 16 under 35 U.S.C. §102(e) as being  
3 unpatentable over U.S. Patent No. 6,024,640 to Walker, et al. (“Walker” or the “Walker patent”).

4 The first issue in this appeal may be stated as follows:

5 Is the invention set out in claims 1, 2, and 4 through 16 anticipated under 35 U.S.C.  
6 §102(e) by the Walker patent?

7  
8 2. The Examiner rejected claim 3 under 35 U.S.C. §103(a) as being unpatentable over the  
9 Walker patent. The second issue in this appeal may be stated as follows:

10 Would the invention set out in claim 3 have been obvious under 35 U.S.C. §103(a) in  
11 view of the Walker patent?

12  
13 **VII. GROUPING OF THE CLAIMS (37 C.F.R. §1.192(c)(7))**

14 It is Appellants’ intention that the rejected claims be grouped as follows:

15 Group A 1 through 5

16 Group B 6 through 12

17 Group C 13 through 16

18 As to Group A, it is Appellants’ intention that claim 4 stands or falls together with  
19 independent claim 1. Appellants believe that claims 2, 3, and 5 are allowable independently of  
20 claim 1.

1 As to Group B, it is Appellants' intention that claims 8, 11, and 12 stand or fall together  
2 with independent claim 6. Appellants believe that claims 7, 9, and 10 are allowable  
3 independently of claim 6.

4 As to Group C, it is Appellants' intention that claim 14 stands or falls together with  
5 independent claim 13. Appellants believe claims 15 and 16 are allowable independently of claim  
6 13.

## 8 VIII. ARGUMENT (37 C.F.R. §1.192(c)(8))

### 9 CLAIMS 1-16 ARE NOT ANTICIPATED BY THE WALKER PATENT

10 The Examiner's rejection of claims 1, 2, and 4 through 16 under 35 U.S.C. § 102(e) as  
11 being anticipated by the Walker patent is in error because the Walker patent does not disclose  
12 each and every element set out in the claims.

#### 13 The Walker Patent

14 The Walker Patent discloses a system in which a player purchases a number of  
15 predetermined game outcomes at a retail location and receives a hard copy receipt or data carrier,  
16 such as a smart card, containing the purchased outcomes. The player may then input data from  
17 the receipt or smart card at a remote player terminal (HTV) to reveal the outcomes (Walker, Col.  
18 12, lines 6-26). Before distribution to the retail locations, the outcomes are initially generated at  
19 a lottery central computer (LCC) as a random prize datastream (RPD), which is a pool containing  
20 a number of win/lose outcomes (Walker, Col. 8, lines 37-39). The LCC includes separate non-  
21 volatile memory for storing the RPD, for storing data representing the outcomes purchased by the  
22 players, and for storing information related to each player terminal (HTV). (Walker at Figure 3



1 items 44, 48, and 36; Col. 8, lines 63 - Col. 9, line 4 and Col. 9, lines 62-64). Each player  
2 terminal (HTV) also has its own non-volatile memory with space reserved to hold the outcomes  
3 purchased and transferred to a respective HTV (Walker at Figure 6 items 118, 132, and 142; Col.  
4 12, lines 55-59; and Col. 13, lines 8-9 and lines 17-18).

5  
6 Claims 1, 2, and 4-16 Require Elements That Are Not Disclosed in the Walker Patent

7 The Walker patent does not teach or suggest the ticket record manufacturing device  
8 required in the Appellants' apparatus claims and also does not teach or suggest producing a game  
9 set record as required in the Appellants' method claims.

10 Element (b) of claim 1 requires,

11 "a ticket record manufacturing device operatively connected with the ticket  
12 distribution center and located at a secure location inaccessible to the players, the  
13 ticket record manufacturing device for producing a non-volatile data record or a  
14 hard copy ticket record for each respective electronic lottery ticket in the game set  
15 prior to a ticket request corresponding to the respective electronic lottery ticket,  
16 the ticket record manufacturing device also being distinct from the electronic  
17 ticket storage device."

18 The electronic ticket storage device referenced in this claim element was set out in element (a) of  
19 claim 1 and stores "a game set comprising a number of electronic lottery tickets to be distributed  
20 to players." It will be noted from this language of claim 1 that the claim requires two separate  
21 and distinct types of storage for the game set of electronic tickets to be distributed to player  
22 terminals in the system. The electronic ticket storage device at the ticket distribution center

1 stores the game set of electronic tickets. In addition, the ticket record manufacturing device set  
2 out at element (b) of claim 1 produces another record or hard copy of each electronic lottery  
3 ticket at a secure location inaccessible to players.

4 Element (b) of Appellants' claim 13 requires a ticket record manufacturing device similar  
5 to that required at element (b) of claim 1. However, the ticket record manufacturing device  
6 required in claim 13 produces a hard copy ticket record for each respective electronic lottery  
7 ticket rather than a hard copy ticket record or a data record.

8 Appellants' independent method claim 6 requires a method limitation corresponding to  
9 the operation of the ticket record manufacturing device required in element (b) of claim 1.  
10 Specifically, element (b) of claim 6 requires,

11 "prior to a ticket request for any electronic lottery ticket in the game set at the  
12 distribution center, producing a game set record at a secure location and securing  
13 the game set record from access by the players, the game set record comprising a  
14 set of non-volatile data records including a respective data record for each  
15 respective electronic lottery ticket in the game set or comprising a set of hard copy  
16 ticket records including a respective hard copy ticket record for each respective  
17 electronic lottery ticket in the game set."

18 It is noted that this language distinguishes a step of producing a game record set at a secure  
19 location separate from the step of producing and storing the electronic lottery tickets themselves,  
20 including the results or outcomes associated with those tickets.

21 In rejecting each of the Appellants' independent claims, claims 1, 6, and 13 as being  
22 anticipated by the Walker patent, the Examiner points to Figures 1 and 2 of the Walker patent

1 and the Lottery Authority and LCC as teaching the ticket record manufacturing device  
2 (December 12, 2003 Office Action, page 3, lines 3-8) and teaching step of making the game  
3 record set (December 12, 2003 Office Action, page 4, lines 3 and 4). At page 5 of the December  
4 12, 2003 Office Action, the Examiner also refers to Figure 3, item 42 of the Walker Patent along  
5 with the Walker patent text at Col. 8 line 65 to Col. 9 line 4 and Col. 9, lines 37-49 for teaching  
6 the Appellants' ticket record manufacturing device, which the Examiner refers to as a "ticket  
7 manufacturing device." (December 12, 2003 Office Action, page 5, lines 14 and 15). Thus, the  
8 Examiner's rejections equate the ticket record manufacturing device or step in the Appellants'  
9 claims to the random prize datastream generating element described in the Walker patent.

10 The Appellants respectfully submit that the Examiner's rejection confuses production and  
11 storage of the game set of electronic lottery tickets as set out in the Appellants' claims and the  
12 production of the game record set also required in the Appellants' claims. The Appellants agree  
13 that the Walker patent discloses a Lottery Central Computer or LCC that generates a randomized  
14 prize datastream (RPD) comprised of a series of win/lose outcomes as indicated at the top of Col.  
15 5 of the Walker patent. This prize generating arrangement in Walker is somewhat analogous to  
16 the manufacturing computer 11 described in the present application which performs the step of  
17 producing a game set of electronic lottery tickets as indicated at block 40 of Appellants' Figure 3.  
18 The Walker patent does not, however, teach or suggest any structure that can be considered a  
19 ticket record manufacturing device that produces a data record or hard copy record of each  
20 electronic lottery ticket in the electronic lottery ticket game set which has already been produced  
21 by another element in the system. That is, the Walker patent discloses an element for making  
22 what may be thought of as results associated with electronic lottery tickets, but does not teach or

1 suggest any element for making a copy of each electronic lottery ticket after it has been produced  
2 and before a request is made for the ticket. Stated another way, if the RPD generation  
3 arrangement set out in the Walker patent is a ticket record manufacturing device that makes a  
4 non-volatile data record or hard copy of each electronic lottery ticket in a game set prior to a  
5 ticket request corresponding to the electronic lottery ticket, then what in the Walker patent  
6 represents the ticket distribution center that includes a storage device for storing a game set of the  
7 electronic lottery tickets? The RPD generation arrangement in the Walker patent cannot  
8 represent both the ticket record manufacturing device and the electronic ticket storage device of  
9 the ticket distribution center because the present claims require that the two elements are distinct.  
10 The ticket distribution center also cannot be the agent terminal (AT) in the Walker patent, as the  
11 Examiner suggests at the bottom of page 2 of the December 12, 2003 Office Action, because the  
12 agent terminal does not store an entire game set (entire random prize datastream). Rather the  
13 agent terminal in the Walker patent receives only a number of outcomes or tickets requested by a  
14 player as discussed at Col. 5, lines 13 through 40 of Walker.

15 The Walker patent does suggest producing a printed receipt of an outgoing transfer  
16 message (OTM) to facilitate manual entry of the OTM at a player terminal (HTV), or recording  
17 the OTM on a smart card or in other media that can be read by an HTV. (Walker, Col. 5, lines  
18 28-36). However, such a record of game play outcomes in Walker cannot represent a ticket  
19 record manufacturing device or step as required in the Appellants' claims because the  
20 Appellants' ticket record manufacturing is performed prior to a ticket request for the  
21 corresponding tickets. In contrast, the hard receipt or smart card record of the OTM in Walker is  
22 produced only in response to a request from a player for outcomes in the game.

1           Because the Walker patent does not disclose a ticket record manufacturing device as  
2 required at element (b) of claims 1 and 13, the rejection of claims 1 and 13 as being anticipated  
3 by the Walker patent is in error. Similarly, because the Walker patent does not disclose the game  
4 set record production step at element (b) of claim 13, the rejection of claim 6 as being anticipated  
5 by the Walker patent is also in error. Claims 1, 6, and 13 are each allowable over the Walker  
6 patent as are their respective dependent claims, claims 2-5, claims 7-12, and claims 14-16.

7  
8           Claim 2 is Independently Patentable Over the Walker Patent

9           Appellants' claim 2 requires that the ticket record manufacturing device comprises a hard  
10 copy printer that produces the hard copy ticket record for each electronic lottery ticket in the  
11 game set. The only hard copy element produced in the Walker patent is an outgoing transfer  
12 message receipt produced at the agent terminal (30 in Figure 1 of Walker) or a redemption  
13 request message (RRM) produced at a player terminals discussed at the top of Col. 19 in the  
14 Walker patent. Neither one of these elements in Walker could be considered a hard copy ticket  
15 record as required in claim 2 because the hard copy ticket record must be produced prior to a  
16 ticket request for the respective electronic ticket as required at element (b) of claim 1.

17           The Appellants respectfully submit that claim 2 is allowable over the Walker patent not  
18 only by its dependence upon claim 1, but also based on the limitation that it directly adds.

1     Claim 5 is Independently Patentable Over the Walker Patent

2             Appellants' claim 5 requires a manufacturing computer included in the ticket distribution  
3     center for manufacturing the game set. However, the only element in the Walker patent that  
4     manufactures outcomes (the randomized prize datastream RPD) is the lottery central computer  
5     LCC. The Examiner has relied on the LCC as representing the ticket record manufacturing  
6     device for producing the non-volatile data record or hard copy ticket record of each electronic  
7     lottery ticket. There is no suggestion that the LCC both produces the outcomes for the  
8     randomized prize datastream in the first place and also produces the non-volatile data record or  
9     hard copy ticket record of each electronic lottery ticket.

10            For these reasons the Appellants respectfully submit that claim 5 is allowable over the  
11   Walker patent not only by its dependence upon claim 1, but also based on the limitation that it  
12   directly adds.

13  
14     Claim 7 is Independently Patentable Over the Walker Patent

15            Claim 7 requires the step of generating the game set at the ticket distribution center. In  
16   making the rejection of claim 6, however, the Examiner was forced to liken the agent terminal  
17   AT in Walker to the ticket distribution center in the present claims. It is apparent from the  
18   Walker patent, however, that the agent terminal AT does not in any way generate any game set of  
19   electronic lottery tickets. Following the Examiner's position in rejecting claim 6 leads inevitably  
20   to the conclusion that the Walker patent does not teach or suggest the step of generating the game  
21   set at the ticket distribution center as required by claim 7.

1 For these reasons the Appellants respectfully submit that claim 7 is allowable over the  
2 Walker patent not only by its dependence upon claim 6, but also based on the limitation that it  
3 directly adds.  
4

5 Claims 9 and 10 are Independently Patentable Over the Walker Patent

6 Claim 9 depends from claim 6 and further requires the step of storing the respective ticket  
7 data while different ticket data representative of a different one of the electronic lottery tickets is  
8 printed on a different player ticket in response to a play request entered through the player  
9 terminal. Claim 10 similarly requires printing on a player ticket in response to a play request  
10 entered through the player terminal. In contrast to these requirements, there is no suggestion in  
11 the Walker patent that any ticket is printed at a player terminal (HTV) in response to a play  
12 request entered through the terminal. The only thing that Walker suggests printing at an HTV is  
13 a redemption request message RRM as discussed at the top of Col. 19 of Walker, and this is not  
14 done in response to a play request but a redemption request made after the player has played the  
15 outcomes received at the HTV player terminal.

16 Because claims 9 and 10 each include an additional limitation not taught or suggested by  
17 the Walker patent, the Appellants submit that claims 9 and 10 are allowable over the Walker  
18 patent both for the limitation that they directly add and as being dependent upon an allowable  
19 base claim.  
20  
21  
22

1     Claim 15 is Independently Patentable Over the Walker Patent

2             Claim 15 depends from claim 13 and requires that the ticket distribution center includes a  
3     manufacturing computer for manufacturing the game set. The comments set out above with  
4     regard to claim 5 apply with equal force to claim 15. The Examiner cannot liken the agent  
5     terminal AT in Walker to the ticket distribution center and also consistently find that Walker  
6     teaches a game set manufacturing device at the agent terminal. The only element that could be  
7     considered a game set manufacturing device in the system disclosed in the Walker patent is the  
8     lottery central computer LCC, and this element is clearly separate from the Walker agent  
9     terminals.

10            For these reasons the Appellants respectfully submit that claim 15 is allowable over the  
11   Walker patent not only by its dependence upon claim 13, but also based on the limitation that it  
12   directly adds.

13  
14     Claim 16 is Independently Patentable Over the Walker Patent

15            Claim 16 depends from claim 13 and further requires that “the ticket record  
16   manufacturing device produces the respective hard copy ticket record for the respective  
17   electronic lottery ticket in the game set prior to the distribution of any of the electronic lottery  
18   tickets in the game set from the ticket distribution center” (emphasis added). As discussed  
19   earlier, the Walker patent does not disclose producing a hard copy ticket record for an electronic  
20   lottery ticket prior to a ticket request, whether any of the electronic tickets have been distributed  
21   from the ticket distribution center or otherwise. The only hard copy ticket records disclosed in  
22   the Walker patent are produced after a ticket request and after the electronic lottery tickets are



1 distributed to an agent terminal (AT) from the lottery central computer (LCC) in an outcome  
2 transfer message (OTM) generated in response to an outcome request.

3 Because claim 16 includes an additional limitation not taught or suggested by the Walker  
4 patent, the Appellants submit that claim 16 is allowable over the Walker patent both for the  
5 limitation that it directly adds and as being dependent upon an allowable base claim.

6  
7 CLAIM 3 IS NOT OBVIOUS IN VIEW OF THE WALKER PATENT

8 The Examiner rejected claim 3 under 35 U.S.C. §103(a) as being obvious in view of the  
9 Walker patent. The Appellants respectfully submit that the rejection of claim 3 in view of the  
10 Walker patent is in error because the Walker patent does not teach or suggest each and every  
11 element required in claim 3.

12 The Examiner rejected claim 3 in view of the “ticket record storage device” taught in the  
13 Walker patent and in view of the fact that optical disc writers were well known in the art at the  
14 time of the present invention. (December 12, 2003 Office Action at page 5, lines 1-8).

15 Presumably, the reference to a “ticket record storage device” in the Walker patent is a reference  
16 to the memory associated with the lottery central computer LCC as illustrated at 44 of Walker’s  
17 Figure 3. The Appellants make this presumption because this element in the Walker patent is the  
18 only element that appears to store the random prize datastream (RPD) referenced in Walker.

19 First, the Appellants note that this rejection again confuses the storage of the game set of  
20 electronic tickets as required at element (a) of claim 1 and the production of the non-volatile data  
21 record for each electronic lottery ticket in the game set as required at element (b) of claim 1. The  
22 Walker patent does not teach or suggest any “record” copy of each electronic lottery ticket.

1 Because the Walker patent does not teach or suggest the ticket record manufacturing device in  
2 element (b) of claim 1 separate from the electronic ticket storage device required in element (a)  
3 of claim 1, claim 3 is allowable over the Walker patent as being dependent upon claim 1.  
4 Furthermore, even neglecting this deficiency of the Walker patent, it would not have been  
5 obvious to simply replace the random prize datastream (RPD) 44 in the lottery central computer  
6 (LCC) memory (Figure 3 of the Walker patent) with an optical disc writer. Obtaining outcomes  
7 from the random prize datastream would be far slower if the data was stored on an optical disk  
8 rather than the lottery central computer (LCC) memory. There is no suggestion in Walker and no  
9 motivation to first write the random prize datastream to an optical medium and then read the  
10 outcomes in the datastream from the optical medium in response to a request for game plays.

11 For these reasons the Appellants submit that the rejection of claim 3 as being obvious  
12 over the Walker patent is in error and should be reversed.

1 CONCLUSION

2 For all of these reasons, the Appellants submit that claims 1 through 16 include specific  
3 limitations that are not taught or suggested in the cited art and are entitled to allowance. The  
4 Appellants respectfully request that the Board reverse the decision of the Examiner rejecting  
5 claims 1 through 16.

6  
7 Respectfully submitted,

8 SHAFFER & CULBERTSON, L.L.P.

9  
10  
11  
12 Date: June 9, 2004

By: 

Russell D. Culbertson, Reg. No. 32,124  
J. Nevin Shaffer, Jr., Reg. No. 29,858  
Trevor Lind, Reg. No. 54,785  
1114 Lost Creek Blvd., Suite 420  
Austin, TX 78746  
512-327-8932  
Attorneys for Appellants

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27 Alexandria, VA 22313-1450

28  
29 Russell D. Culbertson, Reg. No. 32,124 

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**IX. APPENDIX A**

**CLAIMS INVOLVED IN THE APPEAL (37 C.F.R. §1.192(c)(9))**

1. A lottery ticket distribution system including:

- (a) a ticket distribution center including an electronic ticket storage device for storing a game set comprising a number of electronic lottery tickets to be distributed to players using the system, each electronic lottery ticket being represented by ticket data that includes at least a result and a ticket identifier associated with the respective electronic lottery ticket;
- (b) a ticket record manufacturing device operatively connected with the ticket distribution center and located at a secure location inaccessible to the players, the ticket record manufacturing device for producing a non-volatile data record or a hard copy ticket record for each respective electronic lottery ticket in the game set prior to a ticket request corresponding to the respective electronic lottery ticket, the ticket record manufacturing device also being distinct from the electronic ticket storage device;
- (c) a player terminal for receiving from the ticket distribution center the ticket data representing one of the electronic lottery tickets, the player terminal residing at a location remote from the ticket distribution center;
- (d) a player ticket printer included with the player terminal, the player ticket printer for printing a player ticket with the result and a ticket identifier included in the respective ticket data; and

1 (e) a communications arrangement for facilitating data communications between the  
2 ticket distribution center and the player terminal.  
3

4 2. The system of Claim 1 wherein the ticket record manufacturing device comprises a hard  
5 copy printer that produces the hard copy ticket record for each electronic lottery ticket in  
6 the game set.  
7

8 3. The system of Claim 1 wherein the ticket record manufacturing device comprises an  
9 optical disc writer that produces the non-volatile data record for each electronic lottery  
10 ticket in the game set.  
11

12 4. The system of Claim 1 further including a display operatively connected to the player  
13 terminal for displaying the result included in the respective ticket data in response to a  
14 player input at the player terminal.  
15

16 5. The system of Claim 1 wherein the ticket distribution center includes a manufacturing  
17 computer for manufacturing the game set.  
18

19 6. A method for distributing lottery tickets, the method including the steps of:

20 (a) at a ticket distribution center, storing a game set comprising a number of  
21 electronic lottery tickets to be distributed to players using the system, each  
22 electronic lottery ticket being represented by a respective collection of ticket data

1 that includes at least a result and a ticket identifier associated with the respective  
2 electronic lottery ticket;

3 (b) prior to a ticket request for any electronic lottery ticket in the game set at the  
4 distribution center, producing a game set record at a secure location and securing  
5 the game set record from access by the players, the game set record comprising a  
6 set of non-volatile data records including a respective data record for each  
7 respective electronic lottery ticket in the game set or comprising a set of hard copy  
8 ticket records including a respective hard copy ticket record for each respective  
9 electronic lottery ticket in the game set;

10 (c) communicating the ticket data representing one of the electronic lottery tickets  
11 over a communications arrangement from the ticket distribution center to a player  
12 terminal at a location remote from the ticket distribution center; and

13 (d) at the player terminal location, printing a player ticket with the result and ticket  
14 identifier included in the respective ticket data communicated from the ticket  
15 distribution center to the player terminal.

16  
17 7. The method of Claim 6 further including the step of generating the game set at the ticket  
18 distribution center.

19  
20 8. The method of Claim 6 wherein the step of communicating the ticket data representing  
21 one of the electronic lottery tickets is performed in response to a player input at the player  
22 terminal.

1        9.        The method of Claim 6 further including the step of storing the respective ticket data  
2                while different ticket data representative of a different one of the electronic lottery tickets  
3                is printed on a different player ticket in response to a play request entered through the  
4                player terminal.

6        10.       The method of Claim 6 further including the step of storing the respective ticket data  
7                while different ticket data representative of a different one of the electronic lottery tickets  
8                is printed on the player ticket in response to a play request entered through the player  
9                terminal.

11       11.       The method of Claim 6 further including the steps of:  
12               (a)        communicating additional ticket data representing a different one of the electronic  
13               lottery tickets over the communications arrangement from the ticket distribution  
14               center to the player terminal;  
15               (b)        at the player terminal location, printing the player ticket with the result included in  
16               the additional ticket data; and  
17               (c)        at the player terminal location, displaying a representation indicating the result  
18               included in the additional ticket data.

20       12.       The method of Claim 11 further including the step of ejecting the player ticket in  
21               response to an end play signal.

- 1        13.    A lottery ticket distribution system including:
- 2            (a)    a ticket distribution center including an electronic ticket storage device for storing
- 3                   a game set comprising a number of electronic lottery tickets to be distributed to
- 4                   players using the system, each electronic lottery ticket being represented by
- 5                   respective ticket data;
- 6            (b)    a ticket record manufacturing device operatively connected with the ticket
- 7                   distribution center and located at a secure location inaccessible to the players, the
- 8                   ticket record manufacturing device for producing a hard copy ticket record for
- 9                   each respective electronic lottery ticket in the game set prior to a ticket request
- 10                  corresponding to the respective electronic lottery ticket, the ticket record
- 11                  manufacturing device also being distinct from the electronic ticket storage device;
- 12            (c)    a player terminal for receiving from the ticket distribution center the ticket data
- 13                   representing one of the electronic lottery tickets, the player terminal residing at a
- 14                   location remote from the ticket distribution center;
- 15            (d)    a player ticket printer included with the player terminal, the player ticket printer
- 16                   for printing a replica of the hard copy ticket record for a respective electronic
- 17                   lottery ticket; and
- 18            (e)    a communications arrangement for facilitating data communications between the
- 19                   ticket distribution center and the player terminal.
- 20



1 14. The system of Claim 13 further including a display operatively connected to the player  
2 terminal for displaying the result included in the respective ticket data in response to a  
3 player input at the player terminal.  
4

5 15. The system of Claim 13 wherein the ticket distribution center includes a manufacturing  
6 computer for manufacturing the game set.  
7

8 16. The system of Claim 13 wherein the ticket record manufacturing device produces the  
9 respective hard copy ticket record for the respective electronic lottery ticket in the game  
10 set prior to the distribution of any of the electronic lottery tickets in the game set from the  
11 ticket distribution center.